

REMARKS

Claims 2 and 5-22 are pending in this application. Claims 6, 11, 13, 18, 19, and 20 are independent. Based upon the amendments and remarks included herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

By this amendment, Applicants have amended the claims to more appropriately recite the present invention. These amendments are being made without conceding the propriety of the Examiner's rejection, but merely to timely advance prosecution of the present application.

In the outstanding Official Action, the Examiner objected to claims 11 and 13; rejected claims 2, 6, 7, 10, 18, 21, and 22 under 35 U.S.C. § 102(e) as being anticipated by *Windle* (USP 6,606,117); rejected claims 8 and 9 under 35 U.S.C. § 103(a) as being unpatentable over *Windle* in view of *Kyuma et al.* (USP 5, 883,666); and rejected claims 5, 11-14, 17, 19, and 20 under 35 U.S.C. § 103(a) as being unpatentable over the *Windle* in view of *Silverbrook* (USP 6,597,817). Applicants respectfully traverse these rejections.

Claim Objections

The Examiner objected to the term "direction" asserting there are minor typographical errors resulting in language inconsistencies. However, Applicants respectfully submit that the term "direction," as recited in the claims, is fully supported in the specification. There is no typographical error and it is respectfully requested that the outstanding objection be withdrawn.

Prior Art Rejections

By this amendment, Applicants have amended claim 6 to recite, *inter alia*, a digital camera including an extracting device that extracts composition assist frames that can be selected from the plurality of composition assist frames according to the shooting mode selected by the shooting mode selecting device; and a composition assist frame selecting device that enables selection of a composition assist frame from the composition assist frames extracted by the extracting device. Independent claims 11, 13, 18, 19, and 20 have been similarly amended.

During an Interview conducted between the parties on September 9, 2004, the Examiner indicated that should the claims be amended to recite each shooting mode having a plurality of composition assist frames, then the amended claims would overcome the cited rejection. As the claims have been amended in accordance with the agreement during the Interview, Applicants respectfully request the outstanding rejections be withdrawn.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

By 

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